

**IN THE MATTER OF THE PETITION FOR NATURALIZATION AS A
CITIZEN OF THE PHILIPPINES, CHUA ENG HOK, PETITIONER AND
APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR
APPELLANT.**

G.R. No. L-20479. October 29, 1965

Ponente: REGALA, J.

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REGALA, J.:

This is an appeal by the Solicitor General from the decision of the Court of First Instance of Manila granting the application for Filipino citizenship of petitioner, CHUA ENG HOK. While the decision of the Court of First Instance of Manila affirming the petition is dated May 3, 1960, yet under the Naturalization Law, a decision in a naturalization case is not regarded as final and executory until after the lapse of two (2) years.

On June 6, 1959, the petitioner filed with the above-mentioned court, a petition for naturalization. Among others, he claimed:

- (1) that he is a resident of 1764 Sisa St., Sampaloc, Manila, though formerly he resided at various intervals, at 1327 Sanchez Ext., Tondo, Manila; San Pablo City, Laguna; and Libmanan, Camarines Sur;
- (2) that he was born on March 14, 1925, in Chuansio, Chinkiang, China; and that, at present, he is still a subject of the Republic of China;
- (3) that he is married to Osmundita Avila Palomar, a Filipino citizen born in Libmanan, Camarines Sur, and now residing with petitioner at 1764 Sisa St., Sampaloc, Manila;
- (4) that, at the time said petitioner filed his application, he had three children. Now, it has increased to four;
- (5) that his income amounted to P4,000.00 annually, he being employed at the Central Manufacturing Corporation.

The petitioner also declared that he believes in the principles underlying the Constitution of the Philippines and that he had conducted himself in a proper and irreproachable manner in his dealings with the duly constituted authorities as well as with the community in which he lives.

At the hearing in which the petitioner and his character witnesses testified to the above allegations, the Court of First Instance of Manila granted said petition on May 3, 1960, and ordered the issuance of the corresponding certificate of naturalization upon the petitioner's compliance with the requirements as provided in the Naturalization Law - Commonwealth Act No. 473, as amended by Republic Act No. 530.

As the Naturalization Law provides that the decision in naturalization cases is not regarded as final and executory until after the lapse of two (2) years, as already indicated above, hence, on October 12, 1962, the Republic of the Philippines filed a petition objecting to the taking of oath of the petitioner as citizen of the Philippines, and

requesting that the decision rendered on May 3, 1960, be vacated on the following grounds:

- (1) that the petitioner did not state all his former places of residence;
- (2) that a notice of hearing was published in the "Daily Record", a newspaper that is not of general circulation in the Philippines;
- (3) that his income of P4,000.00 a year, with a wife and four children to support, is not considered a lucrative trade or occupation within the purview of the naturalization law.

This petition was denied on the same day it was filed; hence, the Solicitor General took the case before us.

Without passing on the other objections of the government, such as the petitioner's not stating all former places of residence, and the fact that the "Daily Record" is not a newspaper of general circulation, the Court believes that the case of the Government is meritorious. Times without number, this Court has repeatedly held that a P4,000.00 yearly income to support a wife and four children is not considered as lucrative. Cases along this line are as follows:

L-19578, Uy vs. Republic of the Philippines, October 27, 1964 (P4,200 a year with wife and 3 children below school age)

L-19577, Yap Bun Pin vs. Republic, October 30, 1964 (P8,067.24 a year, with wife and 5 children)

L-19112, Tio Tee Chai vs. Republic, October 30, 1964 (P5,000 a year, with wife and 3 children)

L-16813, Go Bon The vs. Republic, December 27, 1963 (P7,133.29 a year, with wife and 4 children)

L-19582, Uy Ching Ho vs. Republic, March 26, 1965 (P7,799.34 a year, with wife and 5 children)

L-20169, Yu Kian Chie vs. Republic, February 26, 1965 (P400 a month, with a wife)

L-19918, Uy Tian vs. Republic, July 30, 1965 (P7,000 a year, with wife and 8 children)

L-20145, Ong So vs. Republic, June 30, 1965 (P4,800 a year, with free board and lodging valued at P150 to P200 a month with - wife and 5 children)

L-19111, Chiu Bok vs. Republic, June 22, 1965 (P5,000 a year, with wife and 5 children)

L-19915, Tan Kong Kiat vs. Republic, June 23, 1965 (P5,000 a year, with wife and 4 children)

L-19914, Tan Chong vs. Republic, June 23, 1965 (P5,000 a year, married with 9 children - 4 still unmarried minors)

L-19844, Yu Tin vs. Republic, June 30, 1965 (P6,600 a year, married with 5 minor children)

We have stated in several cases that Philippine citizenship should not easily be given away. All those seeking to acquire it must prove, to the satisfaction of the Court, that they have complied with all the requirements of the law. (Felipe Tochip vs. Republic, G. R. No. L-19637, Oct. 26, 1965; see also, 2 Am. Jur. 577; U.S. vs. Ginsberg, 243 U.S. 472; Ng vs. Republic, No. L-5253, Feb. 22, 1954; 50 Off. Gaz. 1599.)

The reason for this fact is simple. Citizenship involves political status; hence, every person must be proud of his citizenship and should cherish it. In the language of Chief Justice Fuller of the U. S. Supreme Court, "the question of citizenship in a nation is of the most vital importance. It is a precious heritage, as well as an estimable acquisition." (U. S. Wong Kim Ark, 169 U.S. 640.)

In view of the foregoing, the decision is hereby reversed, with costs against the appellee.

Bengzon, C. J., Bautista Angelo, Concepcion, Dizon, Makalintal, Bengzon, J. P., and Zaldivar, JJ., concur.

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